SUMMER VILLAGE OF KAPASIWIN

BYLAW #277-2024

A BYLAW BEING ENACTED REGARDING ENCROACHMENTS ONTO ROADS

WHEREAS, Section 651.2 of the Municipal Government Act, RSA 2000, c M-26, as amended, (the "Act") confirms municipalities may enter into agreements to permit the encroachment of improvements onto a road that is under the direction, control and management of the municipality;

AND WHEREAS, Section 13(1) of the Traffic Safety Act, RSA 2000, c T-6, as amended, confirms that a municipality may make a bylaw authorizing the municipality to issue a license or permit for the temporary occupation or use of a road allowance or highway or part thereof, when not required for public use;

AND WHEREAS, Council for the Summer Village of Kapasiwin considers it necessary to pass a bylaw confirming the municipality's authority to issue a license or permit for temporary occupation of a road allowance or highway when not required for public use;

NOW THEREFORE, under the authority of the Municipal Government Act, the Council of the Summer Village of Kapasiwin duly assembled **ENACTS AS FOLLOWS**:

1. This Bylaw may be cited as the "Encroachment onto Roads" Bylaw.

2. The Summer Village of Kapasiwin may issue a license or permit that is terminable on 30 days' notice in writing for the temporary occupation or use of a road allowance or highway or a portion of a road allowance or highway when it is not required for public use.

3. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed.

4. This bylaw shall take effect on the date of the third and final reading.

READ a first time this 29th day of February 2024.

READ a second time this 29th day of February 2024.

READ a third time and finally passed this 29th day of February 2024.

Summer Village of Kapasiwin

Tim Wiles, Mayor

Emily House, Chief Administrative Officer